

September 16, 2008

Sheriff Thomas Heater
Greene County Sheriff
Greene County Law Enforcement Center
204 S. Chestnut St.
Jefferson, IA 50129

Re: Abuse and Neglect of Livestock at Bayard-Area Sow Farm; Request for
Investigation and Prosecution

Dear Sheriff Heater:

Two undercover PETA investigators were employed at a sow farm, located at F Avenue and 330th Street, outside Bayard, Iowa, the first from June 10, 2008, to September 8, 2008, and the second from July 23, 2008, to September 11, 2008. Until August 18, 2008, the farm was owned by Natural Pork Production, LLP¹ (hereinafter, "NPPII"), and managed by AMVC, LLC (hereinafter, "AMVC").² Thereafter, the farm was owned by MowMar, LLP³ (hereinafter, "MowMar") and managed by Suidae Health & Production, L.C. (hereinafter, "Suidae").⁴

During this time, the investigators documented on video that farm workers intentionally injured pigs—with herding canes, gate rods, clothespins, electric prods, and herding boards and by kicking, punching, and poking them in the eyes—and neglected pigs—by injuring, destroying, handling, and failing to provide sustenance and relieve their suffering in manners consistent with customary animal husbandry practices—all in violation of Iowa's prohibitions against the abuse and neglect of livestock, Iowa Code § 717.1A and Iowa Code § 717.2. Please note that incidents additional to those described below—to which PETA's investigators will testify—occurred.

On behalf of PETA and our more than 2 million members and supporters, we are writing to request that your office investigate without delay the above companies and the cruel conduct of their employees detailed below and vigorously prosecute all appropriate parties on suitable charges.

I. Workers Intentionally Injured Pigs in Violation of Iowa's Proscription Against the Abuse of Livestock

¹NPPII, based in Harlan, Iowa, can be reached through Dan Koesters, at 712-579-9166.

²AMVC headquarters are located at 508 Market St., Audubon, IA 50025, and can be contacted at 712-563-2080.

³MowMar LLP is a limited liability partnership. Two of its partners are LP Pork, Inc., and Thome Family Farms Inc. Mr. Larry Becker is the president of LP Pork, Inc., and can be contacted at 507-436-5664. Mr. Gary Thome is the president of Thome Family Farms Inc. and can be contacted at 507-433-0617.

⁴Suidae headquarters are located at 2200 Hwy. 18 E., Algona, IA 50511, and can be contacted at 515-295-8777.



PETA

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AN INTERNATIONAL
ORGANIZATION DEDICATED
TO PROTECTING
THE RIGHTS OF ALL ANIMALS

A. Iowa Code § 717.1A. Livestock Abuse.

Iowa Code § 717.1A states, “[a] person is guilty of livestock abuse if the person intentionally injures ... livestock owned by another person, in any manner A person guilty of livestock abuse commits an aggravated misdemeanor.”⁵ Iowa Code § 903.1.2 provides that one convicted of an aggravated misdemeanor may be imprisoned for up to two years, must be fined \$625 to \$6250, or both.⁶

B. Workers Intentionally Injured Pigs With Herding Canes, Gate Rods, Clothespins, Electric Prods, and Herding Boards

Herding canes: On August 31, [XXX], the breeding department manager, inserted the end of a plastic herding cane into a sow’s vagina—and later admitted to the act—before striking her on the back six times. (See Incidents 1 and 2, “Sow Farm Outside Bayard, Iowa: Investigative Footage for the County Attorney” DVD, at Exhibit 1.) He then chased her and hit her with the cane—which he said contained a metal rod—approximately 11 further times. (See Incident 3 at Exhibit 1.) [XXX] repeatedly affirmed such strikes hurt the affected animal, before striking a second, confined animal on the back with the cane. (See Incidents 4 and 5 at Exhibit 1.) On June 27, [XXX]—[XXX]’s predecessor as the breeding department manager—struck a sow on the back with a herding cane.

Metal gate rods: On August 15, [XXX] struck a sow on the back twice with a metal gate rod before telling another employee, “Don’t be afraid to hurt ’em.” (See Incident 6, at Exhibit 1.) On August 22, [XXX] struck another animal with a gate rod at least seven times—including on the head three times—and jabbed the animal with the gate rod at least four times. (See Incident 7, at Exhibit 1.) [XXX] hit a pig on the back with a gate rod approximately four times on July 28 with such force that he was observed to be short out of breath afterwards. On August 27, [XXX]⁷ struck a sow on the back with a gate rod nearly a dozen times. (See Incident 8, at Exhibit 1.) On August 2, [XXX] struck another pig—whom he called a “stubborn fucker”—in the face, on the head, and in the ears approximately nine times with a gate rod. (See Incident 9, at Exhibit 1.) [XXX] also struck a pig in the face or head on August 3.

On August 3, breeding department manager [XXX] admitted that he inserts gate rods into the anuses of pigs who frustrate him. (See Incident 10, at Exhibit 1.) On August 6, [XXX] struck a boar on the back with a gate rod at least five times. (See Incident 11, at Exhibit 1.) On August 12, [XXX] struck three animals in the head or face with a gate rod. (See Incidents 12—14, at Exhibit 1.) [XXX] struck other pigs in the face or head with gate rods on July 25, 28, and 29. [XXX] struck a pig with a gate rod on August 3. [XXX] struck a pig with a gate rod on August 22.

Clothespins: On August 12, [XXX] poked a pig in one of her eyes with a clothespin. (See Incident 15, at Exhibit 1.) He confirmed that the act drew blood and admitted he “usually” poked his thumb into animals’ eyes. (See Incident 16, at Exhibit 1.) [XXX] poked another animal in this manner on July 28. Manager [XXX] poked an animal in this manner on July 29. On August 16, [XXX] jabbed a heavily pregnant sow in the back with a clothespin before pressing it into her spine. (See Incident 17, at Exhibit 1.) On August

⁵Iowa Code § 717.1.2 includes porcine animals—pigs—in the definition of “livestock.”

⁶Under Iowa Code § 717.1A.1, “livestock abuse” is defined to exclude actions by a non-owner with the consent of the owner, unless the actions constitute “livestock neglect” under Iowa Code § 717.2, in which case even the consent of the owner will not excuse the abuse. Each of the actions described in this Part I as “livestock abuse” also constitute “livestock neglect,” as they “injure[d] livestock by ... means which cause[d] pain or suffering in a manner inconsistent with customary animal husbandry practices” and could be separately investigated as livestock neglect as well (Iowa Code § 717.2.1.c.). Thus, the consent of the farm owner, if any, does not provide a defense for the abuses described herein.

⁷[XXX]’s last name is believed—but not known—to be “[XXX].”

25, [XXX] and [XXX] each jabbed an animal in the back with a clothespin. (See Incident 18, at Exhibit 1.) [XXX] engaged in similar behavior on August 27 and, with [XXX], on August 2. (See Incidents 19 and 20, at Exhibit 1.) [XXX] repeatedly jabbed a pig in the back with a clothespin on August 30, leaving her skin lacerated. (See Incidents 21 and 22, at Exhibit 1.) [XXX]⁸ jabbed a heavily pregnant sow in the back with a clothespin on August 7, and [XXX] jabbed a clothespin into pigs' bodies on August 25. Lacerations and other wounds—suspected of evidencing workers' attacks on animals with gate rods and clothespins, if not other implements—on approximately 31 sows in the farrowing barn were recorded or photographed. For example, lacerations were visible on sow #13388—who was apparently abused on July 25 while being moved from the breeding barn to the farrowing barn—until August 7, a period of 13 days. (See Incident 23, at Exhibit 1.)

Electric prods: According to the National Pork Board's (NPB) *Swine Care Handbook*, the use of electric prods is "a stressful event and should be avoided or absolutely minimized. Pigs must never be prodded in sensitive areas such as the eyes, nose, anus, testicles, etc."⁹ On August 6, breeding department manager [XXX] used an electric prod to shock two animals in the neck or face. (See Incident 24, at Exhibit 1.) On September 8, farm manager [XXX] used an electric prod to shock several animals in the face and to shock downed sow #6767—whose back legs, rendered immobile by an unknown condition, [XXX] kicked—repeatedly on the legs and side. (See Incidents 25 and 26, at Exhibit 1.) On August 2, [XXX] used a prod to shock various parts of a pig's body, including her neck. (See Incident 27, at Exhibit 1.)

Herding boards: On August 3, [XXX] struck a pig in the face four times with the edge of a herding board and swung the board at the animal's hindquarters. (See Incident 28, at Exhibit 1.) On August 11, [XXX] repeatedly struck another pig in the head with a herding board. (See Incident 29, at Exhibit 1.) [XXX] struck other pigs with a herding board on July 30 and August 1 and 2. Many other employees struck pigs with herding boards: manager [XXX] on July 25 and 29 and August 1 and 5; [XXX] on July 28 and August 1 and 2; [XXX] on July 28 and August 15; [XXX] on July 30 and August 1; [XXX] on July 29 and 30; [XXX] on August 8; [XXX] on August 1; [XXX]¹⁰ on August 1; [XXX]¹¹ on August 1; [XXX] on August 1; [XXX]¹² on August 15; and [XXX] on August 29.

C. Workers Kicked, Punched, and Poked Pigs in the Eyes, Intentionally Injuring Them

Kicking animals: On August 5, breeding department manager [XXX]—after telling an investigator that to move a pig, "You gotta beat on the bitch. Make her cry"—kicked the animal in the face once and in the abdomen at least 15 times.¹³ (See Incidents 30 and 31, at Exhibit 1.) After the animal entered the barn into which [XXX] wished to move her, he kicked the animal three more times in the genitals. (See Incident 32, at Exhibit 1.) On August 2, [XXX] repeatedly kicked a heavily pregnant sow—who had fallen to the floor and who [XXX] stated was in labor before birthing piglets the following day—in the face and genitals. (See Incident 33, at Exhibit 1.) On August 5, 20, and 25, [XXX] kicked pigs in the face, hindquarters and abdomen, respectively. (See Incidents 34–36, at Exhibit 1.) [XXX] also kicked animals on July 30 and August 1; on July 29, he took a running start to kick a pig in the hindquarters with such force that he removed his boot and rubbed his foot.

⁸[XXX]'s last name could not be determined.

⁹National Pork Board, *Swine Care Handbook* (2002) 4 <<http://www.antwifarms.com/docs/swinecarehandbook.pdf>> at 6 September 2008.

¹⁰Both [XXX] and [XXX] were employed at the farm, but the men were referred to by co-workers as "[XXX]" and "[XXX]," according to date of hire. The man referenced here is the man called "[XXX]."

¹¹[XXX]'s last name could not be determined.

¹²[XXX]'s last name could not be determined.

¹³On August 7, [XXX] told an investigator that he wore steel-toed boots to work.

On August 3, [XXX] kicked at least two pigs in the face and kneed a third animal in the face before kicking at a fourth pig's face. (See Incident 37, at Exhibit 1.) On August 29, [XXX] kicked an immobile pig—who he first stated had a broken leg, then said had hip dysplasia and marked “KILL”—in her hindquarters at least three times and kneeled on her back. (See Incident 38, at Exhibit 1.) Later that day, [XXX] kicked a boar twice, including in the face. (See Incident 39, at Exhibit 1.) On August 30, [XXX] kicked a pig in the face. (See Incident 40, at Exhibit 1.) A day later, [XXX] stated that—when he found pigs whose heads had become trapped underneath the doors of crates to which they were confined—he stepped on those animals' jaws and pushed their heads back under the door, because removing a gate rod and pulling the door up to free the animals would take “too long.”¹⁴ (See Incident 41, at Exhibit 1.) [XXX] also kicked pigs on August 1 and 11.

On August 22, [XXX] kicked a heavily pregnant sow—who had lain in an aisle—in the face. (See Incident 42, at Exhibit 1.) On August 5, [XXX] kicked a pig twice in the abdomen; on August 27, he kicked a heavily pregnant sow three times in the hindquarters.¹⁵ (See Incidents 43 and 44, at Exhibit 1.) [XXX] also kicked animals on July 30 and August 1. Many other employees kicked pigs: [XXX] on August 15 and 29; [XXX]¹⁶ on July 25 and August 1 and 15; [XXX] on July 28 and August 1 and 2; [XXX] on July 29 and 30 and August 25; and [XXX] on August 1.

Punching and poking animals: On August 30, [XXX] punched a pig in the back three times with a closed fist. (See Incident 45, at Exhibit 1.) [XXX] also struck pigs on August 7 and 11. On August 21, [XXX] struck a sow in the head before telling an investigator that he “love[d] the ones who like[d] it rough.” Breeding department manager [XXX] struck animals in the head on July 28 and August 7 and elsewhere on the body on August 29. On August 5, [XXX] poked a pig in one of her eyes with his fingers. (See Incident 46, at Exhibit 1.) [XXX] poked another pig in the eyes on August 6. (See Incident 47, at Exhibit 1.)

D. The Suspects' Mental State

Additional comments made by the workers—and the thoughts and intentions they illustrate—should be noted. On August 11, [XXX]—referring to pigs—stated, “These motherfuckers deserve to be hurt. Hurt, I say! Hurt! Hurt! Hurt! Hurt! If you've gotta hurt 'em, hurt 'em. ... Take out your frustrations on 'em. Just make believe that one of these motherfuckers scared off a 17-, 18-year-old voluptuous little fucking girl that's hornier than a bitch! And it scared her off. Then you beat the fuck out of her.” (See Incident 48, at Exhibit 1.) A day later, [XXX] told manager [XXX]—who was moving pigs—“Hit them hard! ... Show them your dick! ... Show them your penis!” (See Incident 49, at Exhibit 1.) On August 14, when an investigator asked [XXX] whether pigs were cannibalizing a pig's bleeding, prolapsed rectum, [XXX] responded, “I hope so. ... Don't look at me for sympathy for these fucking pigs 'cause there ain't none in my eye. ... I'll hurt 'em if I can. The more those motherfuckers suffer, the better I like it.” (See Incident 50, at Exhibit 1.) On September 4, [XXX]—referring generally to any pig—said that if “that motherfucker hurts me, that fucker gets a caning. ... If I got a cane, I'm fucking gonna give a beating.” (See Incident 51, at Exhibit 1.) Minutes later, [XXX] said he was considering carrying an ice pick while at work, and explained, “It's something that's fuckin' gonna hurt [pigs]! Fuck, yeah!” (See Incident 52, at Exhibit 1.)

¹⁴An investigator estimated it took him approximately 20 seconds to remove a crate door each time he freed animals so trapped.

¹⁵On August 7, [XXX] told an investigator that he also wore steel-toed boots to work.

¹⁶Both [XXX] and [XXX] were employed at the farm, but the men were referred to by co-workers as “[XXX]” and “[XXX],” according to date of hire. The man referenced here is the man called “[XXX].”

On August 5, breeding department manager [XXX] told an investigator—as the former moved a pig down a hallway—to “Stick your finger in her butt. ... Stick it in her pussy then. ... Just whip your dick out and get some pleasure.” (See Incident 53, at Exhibit 1.) The same day, he told a pig—whom he had repeatedly kicked—“I hope you die now.” (See Incident 54, at Exhibit 1.) Later that day, when asked by an investigator if the men had to kill a lame sow, [XXX] replied, “That or ... just go stomp on her head.” (See Incident 55, at Exhibit 1.) A day later, after a boar was injured in a fight with another boar, manager [XXX] stated, “They’re going on the cull truck, anyway, so it don’t matter if they get hurt.” (See Incident 56, at Exhibit 1.) On August 2, [XXX] stated, “I get a lot of aggression out on the gilts.” (See Incident 57, at Exhibit 1.)

II. Workers Neglected Pigs in Violation of Iowa’s Proscription Against the Neglect of Livestock

A. Iowa Code § 717.2. Livestock Neglect.

Iowa Code § 717.2 states, “1. A person who impounds or confines livestock, in any place, and does any of the following commits the offense of livestock neglect: *a.* Fails to provide livestock with care consistent with customary animal husbandry practices. *b.* Deprives livestock of necessary sustenance. *c.* Injures or destroys livestock by any means which causes pain or suffering in a manner inconsistent with customary animal husbandry practices. 2. A person who commits the offense of livestock neglect is guilty of a simple misdemeanor. A person who intentionally commits the offense of livestock neglect which results in serious injury to or the death of livestock is guilty of a serious misdemeanor. ...”¹⁷ Iowa Code § 903.1.1(a) provides that a person convicted of a simple misdemeanor may be imprisoned for up to 30 days, must be fined \$65 to \$625, or both. Iowa Code § 903.1.1(b) provides that a person convicted of a serious misdemeanor may be imprisoned for up to one year, must be fined \$315 to \$1,875, or both.

B. Workers Destroyed and Injured Pigs by Means That Caused Pain or Suffering in a Manner Inconsistent With Customary Animal Husbandry Practices

Destroying livestock: The American Veterinary Medical Association (AVMA) requires that for piglets to be killed in a “humane” manner by a blow to the head, “a single sharp blow” must be delivered “with sufficient force” to produce “immediate depression of the central nervous system and destruction of brain tissue.”¹⁸ The AVMA stipulates that personnel killing animals in this manner “must be properly trained and monitored for proficiency” in its application.¹⁹ The American Association of Swine Veterinarians (AASV) and the NPB agree, requiring a “sharp, firm blow ... administered with determination ... to ensure ... quick, humane euthanasia” and not mere stunning.²⁰ The AASV and NPB add, “[P]ersonnel should ... check for cessation of corneal reflex, respiration, and heart beat to confirm the death” of each pig killed in any manner.²¹

On August 21, [XXX] attempted to kill 10 piglets by picking them up and striking their heads against a concrete floor. (See Incident 58, at Exhibit 1.) Farm workers referred to this practice—their means of killing piglets deemed unsaleable—as “whacking” piglets. More than 12 minutes later, two of the affected

¹⁷Iowa Code § 717.1 defines “sustenance” as “food, water, or a nutritional formulation customarily used in the production of livestock.”

¹⁸American Veterinary Medical Association, *AVMA Guidelines on Euthanasia* (2007) 13 <http://www.avma.org/issues/animal_welfare/euthanasia.pdf> at 6 September 2008.

¹⁹*Id.*

²⁰National Pork Board and American Association of Swine Veterinarians. *On Farm Euthanasia of Swine—Options for the Producer* (undated). See “Table 2” and “Details of Table 2.” Available at <http://www.aasv.org/aasv/euthanasia.pdf>. Last accessed on September 6, 2008.

²¹*Id.* at “Conclusion.”

animals were alive and appeared conscious and sentient. (See Incident 59, at Exhibit 1.) On August 25, a piglet who had survived having his head struck against the floor by an unknown worker was presented to [XXX], the farrowing department manager. (See Incident 60, at Exhibit 1.) [XXX] evidenced no concern that one of her employees had severely injured—but not killed—the piglet before striking the animal’s head against the floor herself and, without confirming his death, throwing the animal approximately 20 feet to a corner, where he landed on the concrete floor. (See Incident 61, at Exhibit 1.) Other piglets who had survived such trauma—and who had not been confirmed dead before being disposed of—were found piled in a hallway and in a bucket of afterbirth on June 22 and August 27. (See Incidents 62 and 63, at Exhibit 1.)

On August 14, [XXX] stated that she needed to strike each piglet’s head against the floor three or more times before she killed an animal. (See Incident 64, at Exhibit 1.) That day, she told coworkers and farrowing department manager [XXX] that she once found a live piglet crawling in a hallway nearly an hour after she struck the animal’s head against the floor. [XXX] responded by saying she had attempted to kill piglets by striking their heads against a wall, to no avail. No workers were seen confirming the death of any of the more than 100 piglets whose heads were seen struck against the floor in this manner.

For adult animals, the AASV and NPB dictate that the correct positioning of a penetrating captive-bolt gun (CBG) against a pig’s skull is “essential” and “critical” to killing—and not merely stunning—the animal.²² On August 6, farrowing department manager [XXX] affirmed that misplaced shots with a CBG cause the affected animal pain. (See Incident 65, at Exhibit 1.) On August 11, [XXX] admitted he shot one sow eight times, in seven different locations, because “the bitch ... wouldn’t die.” (See Incident 66, at Exhibit 1.) On September 1, [XXX] referred to a similar—if not the same—incident in which [XXX] repeatedly shot a sow with the CBG and failed to kill her before allegedly suggesting he shoot her in the neck, in which there is no acceptable location for the discharge of a CBG. (See Incident 67, at Exhibit 1.)

Injuring livestock: On August 1, [XXX] sprayed a full-strength stream of an animal-marking paint—the ingredients of which were listed by a label as ethanol, isopropyl alcohol, dye, butane, and propane—up the nostrils of sow #13724 for over 30 seconds, as well as on her face. The animal’s condition was documented a day later. (See Incident 68, at Exhibit 1.) On June 10, [XXX] admitted to spraying a similar paint on the mouth and nose of another sow. On August 11, the face of sow #13510 was found to have been painted green. (See Incident 69, at Exhibit 1.) Farrowing department manager [XXX] stated she had sprayed paint into the animal’s nostrils. The Material Safety Data Sheet (MSDS) for the only green spray paint found on the farm at the time lists its hazardous ingredients as isopropylalcohol, basic coloring, binding agent: aldehydic resin, dibutylphthalate, resin, and propane/butane. Two other sows whose faces had been painted were found on July 24 and August 3. (See Incidents 70 and 71, at Exhibit 1.)

C. Workers Failed to Handle and Relieve the Suffering of Animals Consistent With Customary Animal Husbandry Practices

Handling: On August 15, after kicking an immobile sow (whose back legs appeared to be paralyzed and who was going to be killed) in the face, breeding department manager [XXX] grabbed the animal by the ears and pulled her, stood atop her with both his feet on her back, then grasped and forced the animal upright by the tail. (See Incidents 72 and 73, at Exhibit 1.) On August 2, [XXX] grabbed a heavily pregnant sow, who had lain in an aisle, by the ears and attempted to pull her. [XXX] said this sow had a broken hip and [XXX] later said the sow had been in labor at this time. (See Incident 74, at Exhibit 1.) [XXX] pulled another pig by the ears on August 5. (See Incident 75, at Exhibit 1.) On June 19, [XXX] used his legs to push a heavily pregnant sow—who had lain in a hallway—approximately 10 feet along the floor.

²²*Id.* at “Table 2” and “Details of Table 2.”

On August 22, [XXX] repeatedly pulled on the ears of a heavily pregnant sow who had lain in a hallway. (See Incident 76, at Exhibit 1.) Later that day, [XXX] repeatedly pulled on the tail of this animal, who had again lain in a hallway. (See Incident 77, at Exhibit 1.) On August 22, [XXX] pulled a heavily pregnant sow by the ears approximately 10 feet down a hallway in which she had laid. (See Incident 78, at Exhibit 1.) [XXX] pulled another heavily pregnant sow by the ears on August 27. (See Incident 79, at Exhibit 1.)

Delayed or denied euthanasia: On August 14, [XXX]—the farm manager at the time—decided to segregate and send to transport for slaughter two sows whose rectums had severely prolapsed and were bleeding heavily. (See Incidents 80 and 81, at Exhibit 1.) [XXX] later acknowledged the animals' condition and admitted that those suffering from severe prolapses should be killed on the farm. (See Incident 82, at Exhibit 1.) On August 21, farrowing department manager [XXX] confirmed that the uterus of sow #3473 was beginning to prolapse and denied that the animal could be treated for the condition. (See Incident 83, at Exhibit 1.) After giving birth to a litter of piglets on or about August 25, the sow's condition—which, to an investigator's knowledge, went untreated—failed to noticeably improve on August 27 and September 1. (See Photographs, at Exhibits 2-5.) The sow—whose body showed no signs of being shot with a CBG—was found dead on September 5.

On August 29, [XXX] painted "KILL" on the back of gilt #15285 and declared she was suffering from hip dysplasia and could not move her back legs. (See Incident 84, at Exhibit 1.) The animal was seen lying on her side on September 2, September 4, September 8, and September 11—nearly two weeks after [XXX] identified her as needing to be killed. (See Incidents 85–88, at Exhibit 1.) On September 8, four sows—including #6767, whom farm manager [XXX] kicked and shocked as described above—were unable to stand to be loaded onto a transport truck and were left in pens. On September 9, the animals remained in this condition; sow #6767's left hind hoof was bleeding and appeared to have been severed, with a portion of it on the floor near her. (See Incidents 89 and 90, at Exhibit 1.) Breeding department manager [XXX] killed the animals on September 10. On August 5, farrowing and breeding department managers [XXX] and [XXX] decided to not kill two sows found that day to be lame because workers already had nine dead sows to dispose of. (See Incident 91, at Exhibit 1.) [XXX] acknowledged that both animals might die that evening, advising an investigator to "pray" that they would die so that there would be "less work tomorrow."²³ (See Incident 92, at Exhibit 1.)

On August 11, [XXX] said that a sow whom he had shot with a CBG had been lying motionless in a crate for two days. (See Incident 93, at Exhibit 1.) On August 14, heavily pregnant sow #4305 fell to the ground in an aisle, where workers left her—without access to water—for nearly 24 hours before killing her. (See Incident 94, at Exhibit 1.) On June 19, farrowing department manager [XXX] told workers to "[g]et rid of the bad ones"—or kill sows in noticeably poor physical condition—in preparation for a visit by potential investors to the farm the next day, suggesting that the animals had been left to suffer previously.

D. Workers Deprived Pigs of Necessary Sustenance

According to the NPB, pregnant sows require 12 to 25 liters of water per day, while nonpregnant gilts require 12 liters of water per day.²⁴ On August 1, [XXX] stated that in early July 2008, farm manager [XXX] turned off the water supplied to gilts at an off-site gilt development unit (GDU).²⁵ [XXX] alleged that [XXX] failed to notify anyone of this action and that two employees expected to care for animals at the GDU had failed to do so. [XXX] said a day later that one of these employees was his son, whom he

²³The fate of these animals could not be determined.

²⁴National Pork Board, *supra* at 33, "Table 1."

²⁵The location of this facility could not be determined.

did not name and whom [XXX] said was terminated. [XXX] stated that about 40 gilts died due to the lack of water and the heat. [XXX] confirmed this incident on August 2 and 3. (See Incidents 95 and 96, at Exhibit 1.)

On August 17, breeding department manager [XXX] said he believed that five sows had died—during the prior two days in the farrowing barn—as a result of a lack of water after the farm’s water pressure dropped, beginning on August 15. Farrowing department manager [XXX] affirmed the possibility of [XXX]’s conclusion on August 20. (See Incident 97, at Exhibit 1.) On June 13, an investigator discovered that 136 heavily pregnant sows in the farrowing barn had been denied water since June 8, when unidentified employees failed to resume water service to the room before stationing the animals there. On August 8, an investigator determined that approximately 25 heavily pregnant sows had been denied food for up to four days after manager [XXX] and other employees responsible for ensuring the provision of sustenance failed to notice that the animals’ feed dispensers were clogged.

III. Conclusion

PETA’s investigators documented on video that farm workers intentionally injured pigs—with herding canes, gate rods, clothespins, electric prods, and herding boards and by kicking, punching, and poking them in the eyes—and neglected pigs—by injuring, destroying, handling, and failing to provide sustenance and relieve their suffering in a manner consistent with customary animal husbandry practices—all in violation of Iowa’s prohibitions against the abuse and neglect of livestock, Iowa Code § 717.1A and Iowa Code § 717.2. For these acts, the workers and all companies that owned or managed this site—NPPII, AMVC, MowMar, and Suidae—must be held accountable.

PETA asks that your office immediately investigate the conduct of the companies and workers described above and vigorously prosecute all appropriate parties on suitable charges. I am available to assist you in your investigation and ask that your office inform PETA of an investigatory agency’s plans to probe these findings by September 19. I can be reached at 757-962-8231 or DanP@peta.org. PETA’s investigators are available for interviews at your request.

Sincerely,

A handwritten signature in black ink, appearing to read "Dan Paden".

Dan Paden, Research Associate
Cruelty Investigations Department

cc: The Honorable Nicola Martino, Greene County Attorney